Peter L. Kaufman, FL Bar No. 0548421 LEVIN, PAPANTONIO, THOMAS, MITCHELL, ECHSNER & PROCTOR, P.A. 316 South Baylen Street, Suite 600 (32502) PO Box 12308 Pensacola, FL 32591

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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX MARKETING SALES PRACTICES AND PRODUCT LIABILITY LITIGATION) Case Specific Number: C 06 2267 CRB) MDL NO. 1699) District Judge: Charles R. Breyer)
ELAINE GARTNER, individually and on behalf of ROBERT EUGENE GARTNER, deceased		-)))) STIPULATION AND ORDER OF) DISMISSAL WITH PREJUDICE)
	Plaintiffs,)
	VS.)
Pfizer, Inc., et al.	Defendants.	

Come now the Plaintiffs, ELAINE GARTNER, on behalf of ROBERT EUGENE GARTNER, and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule

of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys' fees and costs.

DATED: , 2009

By

Peter L. Kaufman, FL Bar No. 0548421 LEVIN, PAPANTONIO, THOMAS, MITCHELL, ECHSNER & PROCTOR, P.A. 316 South Baylen Street, Suite 600 (32502)

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Telephone: (850) 435-7107 Facsimile: (850) 435-7020 Attorneys for Plaintiff

DATED: August 6, 2009

Ву:_____

DLA PIPER LLP (US) 1251 Avenue of the Americas New York, NY 10020

Telephone: (212) 335-4500 Facsimile: (212) 335-4501 Defendants' Liaison Counsel

PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS SO ORDERED.

Dated: AUG 1 7 2009

Hon. Charles R. Breyer United States District Court